F. No. 11-423/2011-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003
Dated: ~~27~~ 30th September, 2019

To

The Principal Secretary (Forests),
All State/UT Governments

Sub: Guidelines specific to hydrocarbon sector for undertaking seismic surveys and exploratory drilling in forest areas – reg.

Sir,

I am directed to refer to this Ministry's guidelines given under para 6.8 of Chapter-6 of the Handbook of the Forest (Conservation) Act, 1980 regarding prospecting of minerals and hydrocarbons and to inform that the Ministry vide letter dated 22.05.2019 constituted a Committee with a view to holistically, address the issues related to prospecting of hydrocarbons in forest areas. The said Committee submitted its report which was considered by the Forest Advisory Committee (FAC), in its meeting held on 31st July, 2019.

The FAC observed that prospecting (including seismic surveys) and exploration activities in hydrocarbon cannot be regulated as per general guidelines meant for mining of other minerals and accordingly, recommended separate guidelines for Hydrocarbon sector. Based on the recommendations of the FAC, following **guidelines specific to hydrocarbon sector for undertaking seismic surveys and exploratory drilling in forest areas are hereby issued by the Ministry**:

(i) For the purpose of Seismic survey, the maximum permissible number of shot holes may be fixed as 80 per sq km of maximum size of 6.5 inch each so that reliable data can be collected. The permission for such temporary activity can be granted at state level.

(ii) Vehicle/tractor mounted drilling rig equipment can be allowed only for drilling of shot holes in the grids which falls in open area and which are adjoining to existing forest paths after due permission of local forest officer. In other areas manual drilling through Dekhi/ tripod structure with jet flesh unit or portable mechanical (rig) drilling machine may be allowed. The vehicle carrying the compressor and observation trucks shall be parked in open areas.

(iii) No tree felling and construction of new roads will be allowed. However, user agency can use the existing forest road /paths with permission of local forest officer.

(iv) User agency shall plant at least two tall plants near the shot hole site before leaving the site. In case if it is not possible to do the same then user agency shall deposit cost of two tall plants along with 10 years maintenance cost per shot hole with concern DFO. State Government shall ensure that the money charged shall be used to supplement plantation in degraded forest area as per working plan prescriptions.

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(v) Prima facie the activity does not cause any permanent damage. User agency shall take all precaution that the contractor and labour engaged by them do not cause any damage to flora and fauna of the area. Any incidence of damage by the staff/ labour /contractors of user agency shall be treated as negligence on part of user agency and shall be dealt as per law.

(vi) Permission granted for conducting seismic survey over forest land shall in no manner be construed as surety for getting actual diversion of forest land under section(ii)of FCA 1980.The case under section 2(ii) of FCA will be considered independently on merits and case to case basis.

(vii) The process of exploration drilling for hydrocarbon in 130 m x130 m area causes total damage to vegetation (both floral and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of FCA 1980 and must be considered for processing with application in form A of FCA rules and not under Form C. This will enable the user agency to use the area fully and can change the land use within the diverted area if the change in land use plan is approved by any Government agency.

(viii) The approach road to the exploratory site shall be part of the total proposal.

(ix) State Government shall not insist on approval under section 2(iii) of FCA 1980 at the time of PEL (Petroleum exploration license). However, the user agencies shall to take all statutory permission before executing of lease/breaking of forest land.

This issues with the approval of competent authority.

Yours faithfully,

30.9.15

(Sandeep Sharma)
Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All State/UT Governments
2. The Dy Director General of Forests (Central), All Regional Offices of the MoEF&CC
3. The Addl. PCCF & Nodal Officer (FCA), Office of the PCCF, All State/UIT Governments
4. Monitoring Cell, FC Division, MoEF, New Delhi
5. Guard File

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(Sandeep Sharma)
Assistant Inspector General of Forests